

REMARKS

Claims 1-24 are pending, of which claims 8-14 have been allowed. Reconsideration and allowance of all pending claims of this application in light of the following remarks are respectfully requested.

Rejections Under 35 U.S.C. §102

Claims 1-3 and 15-16 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. US 2003/0125832 A1 to Nakashima (hereinafter "Nakashima"). Applicants respectfully traverse the subject rejection for the following reasons.

In particular, the PTO provides in MPEP § 2131 that "[t]o anticipate a claim, the reference must teach every element of the claim. . . ." Therefore, with respect to each of independent claims 1 and 15, to sustain this rejection, Nakashima must contain all of the elements of the subject claim.

However, it is apparent that Nakashima fails to disclose "monitoring a status of the tool" as clearly recited in independent claims 1 and 15. Applicants respectfully traverse the Examiner's position that Nakashima teaches this feature at paragraph [0093]. The cited paragraph states:

The timer is started simultaneously with the registration of the lot into the storage unit lot table 21 in the carrying host computer 20 (step S12). The timer is adapted to automatically generate an event such as completion of processing after the receiving of the special purpose lot at the stocker 40.

Contrary to teaching "monitoring a status of a tool", the cited passage actually teaches an alternative to actual monitoring of a tool; in fact, the timer is set to approximate the amount of time needed for processing so as to avoid the necessity of monitoring. Further support for this reading of Nakashima is provided in the Abstract thereof, which states:

The carrying host computer receives a report of receipt of the special purpose lot(s) by one of the stockers transmitted from the one of the stockers when the special purpose lot(s) is received by said one of the stocker [sic] in said carrying pattern, for initiating a timer and for assuming that processing of the special purpose lots(s) stored in said stocker is completed when a result of count in the timer shows lapse of a predetermined period of time

(emphasis added)

Clearly, therefore, the rejection of independent claim 1 is not supported by Nakashima and should be withdrawn. Independent claim 15 contains limitations similar to those of claim 1 described above and is therefore also allowable over Nakashima for the same reasons as set forth with respect to claim 1. Claims 2, 3, and 16 depend from and further limit claims 1 and 15 and are therefore also allowable over Nakashima for at least the same reasons set forth above with respect to claim 1.

In view of the foregoing, Applicants respectfully request that the rejection be withdrawn.

Rejections under 35 U.S.C. §103

Claim 17 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Nakashima in view of U.S. Patent Publication No. US 2004/0193300 A1 to Rice (hereinafter "Rice"). In response, Applicants respectfully traverse the rejection and submit that, because claim 17 depends from and further limits independent claim 15, the claim is allowable for at least the same reasons set forth above with respect to claim 15.

In view of the foregoing, Applicants respectfully request that the rejection be withdrawn.

Allowable Subject Matter

Applicants note with appreciation the allowance of claims 8-14.

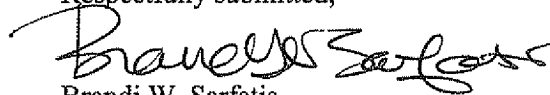
Claims 4-7 and 18-24 stand objected to as being dependent upon a rejected base claim, but the Examiner has indicated that those claims would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. In response, Applicants submit that, because claims 4-7 and 18-24 depend from and further limit independent claims 1 and 15, they are also deemed to be allowable for at least the reasons set forth above with respect to claims 1 and 15. Applicants therefore respectfully request that the objection be withdrawn.

Conclusion

Applicants note with appreciation the allowance of claims 8-14. It is clear from the foregoing that independent claims 1 and 15 are also in condition for allowance. Claims 2-7 and 16-24 depend from and further limit claims 1 and 15 and are therefore also deemed to be in condition for allowance.

In view of the foregoing, an early formal notice of allowance of claims 1-24 is requested. The Examiner is invited to call the undersigned at the below-listed telephone number if a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,



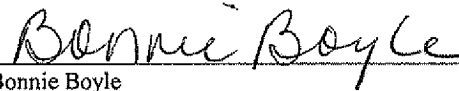
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Bonnie Boyle